

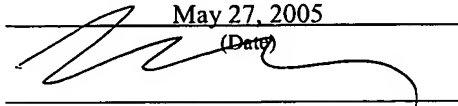


PATENT
Case Docket No. DEXCOM.8DVC1C1
Date: May 27, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Shults, et al.
Appl. No. : 10/657,843
Filed : September 9, 2003
For : DEVICE AND METHOD FOR
DETERMINING ANALYTE
LEVELS
Group Art Unit : 3736
Class/Sub-Class : 600-347000
Examiner : Nasser, R.

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 27, 2005
(Date)

Rose M. Thiessen, Reg. No. 40,202


TRANSMITTAL LETTER

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) A check in the amount of \$1030 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) Comments on Examiner's Statement of Reasons for Allowance in 1 page.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.


Rose M. Thiessen
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Customer No. 20,995
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DEXCOM.8DVC10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shults, et al.
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LEVELS
Examiner : Nasser, R. L.
Group Art Unit : 3736

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 26, 2005

(Date)

Rose M. Thiessen, Reg. No. 40,202

COMMENT ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance to the extent that some claims do not include all of the elements mentioned by the Examiner, and other claims include elements not mentioned by the Examiner. Also, to the extent that there is any implication that the patentability of the claims rests on the recitation of the particular combination of features as stated by the Examiner, Applicant respectfully disagrees with the Examiner's Statement because, for each claim, it is the combination of features recited in the claim that makes it patentable. All claims of the present application are allowable because they each recite a combination of features that are not taught or suggested by the prior art.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/27/05

By: 

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